

Order

Michigan Supreme Court
Lansing, Michigan

November 24, 2010

Marilyn Kelly,
Chief Justice

141492

Michael F. Cavanagh
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman
Diane M. Hathaway
Alton Thomas Davis,
Justices

MACOMB COUNTY PROSECUTOR,
Plaintiff-Appellee,

v

SC: 141492
COA: 291628
Macomb CC: 2009-001207-AP

ANDREW PAUL OSANTOWSKI,
Defendant-Appellee,

and

PAROLE BOARD,
Intervening Appellant.

On order of the Court, the application for leave to appeal the June 15, 2010 judgment of the Court of Appeals is considered and, pursuant to MCR 7.302(H)(1), in lieu of granting leave to appeal, we REVERSE the judgment of the Court of Appeals, and we REINSTATE the Parole Board decision. The Parole Board did not abuse its discretion in granting parole to the defendant. The decision to grant parole was based on evaluation of objective criteria established by Michigan Department of Corrections policy directives that were required by statute, and was within the range of principled outcomes.

YOUNG, J., would grant leave to appeal.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

November 24, 2010

Corbin R. Davis

Clerk